

# DAILY DIGEST

Vol. 17, No. 26

February 9, 1998

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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## PUBLIC NOTICES

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Released: February 9, 1998. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/combined/tt020998.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt020998.pdf)

Report No: NCD-123. Released: February 9, 1998. COMMON CARRIER BUREAU NETWORK CHANGE NOTIFICATION. Contact: Network Services Division: Ginny Kennedy at (202) 418-2328.

Report No: NCD-125. Released: February 9, 1998. COMMON CARRIER BUREAU NETWORK CHANGE NOTIFICATION. Contact: Network Services Division: Ginny Kennedy at (202) 418-2328.

Report No: NCD-124. Released: February 9, 1998. COMMON CARRIER BUREAU NETWORK CHANGE NOTIFICATION. Contact: Network Services Division: Ginny Kennedy at (202) 418-2328.

Report No: 44174. Released: February 9, 1998. BROADCAST ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac980209.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac980209.txt)

Report No: 24174. Released: February 9, 1998. BROADCAST APPLICATIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap980209.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap980209.txt)

Released: February 9, 1998. PUBLIC INFORMATION COLLECTION REQUIREMENTS SUBMITTED TO THE OFFICE OF MANAGEMENT AND BUDGET (OMB) FOR REVIEW. Contact: Judy Boley: (202) 418-0214.

Released: February 9, 1998. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS.(1 of 2). Contact: Barbara Lowe at (202) 418-0310. Internet URL: [https://www.fcc.gov/Bureaus/Miscellaneous/Public\\_Notices/Exparte/1998/exa80209.html](https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/1998/exa80209.html)

Released: February 9, 1998. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS.(2 of 2). Contact: Barbara Lowe at (202) 418-0310. Internet URL: [https://www.fcc.gov/Bureaus/Miscellaneous/Public\\_Notices/Exparte/1998/exb80209.html](https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/1998/exb80209.html)

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## SPEECHES

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REMARKS BY WILLIAM E. KENNARD CHAIRMAN, FEDERAL COMMUNICATIONS COMMISSION TO THE NATIONAL ASSOCIATION OF STATE UTILITY CONSUMER ADVOCATES FEBRUARY 9, 1998. (as prepared for delivery) WASHINGTON, DC. Internet URL: <https://www.fcc.gov/Speeches/Kennard/spwek803.html>

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## TEXTS

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DESOTO BROADCASTING, INC. Granted the petition for special relief filed by DeSoto Broadcasting, Inc., licensee of WBSV-TV, with respect to the communities of North Fort Myers, Sun City, and Wimauma, Florida, and denied petition with regard to the communities of Apollo Beach, Balm, Brandon, Burnt Store Marina, Cape Coral, Cypress Lake, East Fort Myers, Fort Myers, Fort Myers Shores, Gibsonton, Hillsborough County, Iona Gardens, Lee County, MacDill, Riverview, Ruskin, South Fort Myers, Sun City Center, Tice, and Valrico, Florida. WBSV shall notify the cable operators serving the communities added WBSV's television market of its carriage and channel position elections pursuant to the Commission's rules. Action by Deputy Chief, Cable Services Bureau. Adopted: February 3, 1998. by MO&O. (DA No. 98-211). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/da980211.txt>

LIABILITY OF SOUTHERN NEVADA RADIO, INC., D.I.P. Ordered Southern Nevada Radio, Inc., D.I.P., licensee of Radio Station KKLZ-FM, Las Vegas, NV, to forfeit \$8,000 for apparent violation of rules governing broadcast of indecent material. Action by Chief, Mass Media Bureau. Adopted: February 5, 1998. by MO&O. (DA No. 98-231). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/da980231.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980231.txt)

**ADDENDA: The following items, released February 6, 1998, did not appear in Digest No. 25:**

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## NEWS RELEASES

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REPORT NO. CS-98-2, CABLE SERVICES ACTION - COMMISSION ADOPTS REPORT AND ORDER ON POLE ATTACHMENT RATES FOR TELECOMMUNICATIONS PROVIDERS. by R&O. Action by: the Commission. Adopted: February 6, 1998. Dkt No.: CS-97-151. (FCC No. 98-20) News Media Contact: Morgan Broman (202) 418-2358. CSB Contact: Cable Services Bureau Contacts: Lynn Crakes and Elizabeth Beaty at (202) 418-7200; TTY at (202) 418-7172. Internet URL: [https://www.fcc.gov/Bureaus/Cable/News\\_Releases/1998/nrcb8002.txt](https://www.fcc.gov/Bureaus/Cable/News_Releases/1998/nrcb8002.txt)

FCC BUDGET OF \$212,977,000 PROPOSED FOR FISCAL YEAR 1999. News Media Contact: Maureen Peratino (202) 418-0500. OMD. Internet URL: [https://www.fcc.gov/Bureaus/Miscellaneous/News\\_Releases/1998/nrmc8011.txt](https://www.fcc.gov/Bureaus/Miscellaneous/News_Releases/1998/nrmc8011.txt)

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## PUBLIC NOTICES

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Released: February 6, 1998. AGREEMENT FILED RELATED TO MINNESOTA PETITION FOR DECLARATORY RULING CONCERNING ACCESS TO STATE FREEWAY RIGHTS-OF-WAY; REVISION OF PREVIOUSLY SET COMMENT DATES. Comments Due: March 9, 1998; Reply Comments Due: March 24, 1998. (DA No. 98-236). Dkt No.: CC-98-1.

Report No: 44173. Released: February 6, 1998. BROADCAST ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac980206.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac980206.txt)

Report No: 24173. Released: February 6, 1998. BROADCAST APPLICATIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap980206.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap980206.txt)

Released: February 6, 1998. OFFICE OF ENGINEERING AND TECHNOLOGY DECLARES U.S. RADAR INC. REQUEST FOR A WAIVER OF PART 15 FOR A GROUND PENETRATING RADAR TO BE A "PERMIT-BUT-DISCLOSE" PROCEEDING FOR EX PARTE PURPOSES. Comments Due: March 9, 1998; Reply Comments Due: March 24, 1998. (DA No. 98-221). Contact: John Reed at (202) 418-2455. Internet URL: [https://www.fcc.gov/Bureaus/Engineering\\_Technology/Public\\_Notices/1998/da980221.txt](https://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1998/da980221.txt)

Released: February 6, 1998. OFFICE OF ENGINEERING AND TECHNOLOGY DECLARES TIME DOMAIN CORPORATION REQUEST FOR A WAIVER OF PART 15 FOR AN ULTRA-WIDEBAND SYSTEM TO BE A "PERMIT-BUT-DISCLOSE" PROCEEDINGS FOR EX PARTE PURPOSES. Comments Due: March 9, 1998; Reply Comments Due: March 24, 1998. (DA No. 98-222). Contact: Office of Engineering and Technology: John A. Reed at (202) 418-2455. Internet URL: [https://www.fcc.gov/Bureaus/Engineering\\_Technology/Public\\_Notices/1998/da980222.txt](https://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1998/da980222.txt)

Released: February 6, 1998. " AUCTION OF LOCAL MULTIPOINT DISTRIBUTION SERVICE (LMDS) LICENSES. 138 Qualified Bidders Report No. AUC-17-G (Auction No. 17). (DA No. 98-230). Contact: Auctions & Industry Analysis Division, Wireless Telecommunications Bureau: Mark Bollinger, Christina Clearwater or Ruby Hough at (202) 418-0660." Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/1998/da980230.txt](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1998/da980230.txt)

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## TEXTS

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\*\*BELL OPERATING COMPANIES. Granted the petitions for forbearance filed by seven BOCs subject to conditions. Dkt No.: CC-96-149. Action by Chief, Common Carrier Bureau. Adopted: February 6, 1998. by MO&O. (DA No. 98-220). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1998/da980220.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1998/da980220.txt)

POLE ATTACHMENTS. Adopted rules on pole attachment rates. Dkt No.: CS-97-151. Action by the Commission. Adopted: February 6, 1998. by R&O. (FCC No. 98-20). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1998/fcc98020.txt>

BRINKLEY AND COLT, ARKANSAS. Proposed the allotment of Channel 272C2 to Colt, Arkansas, and the modification of authorization of KQMC-FM accordingly, to provide the latter community with its first local aural transmission service. Comments Due: March 30, 1998; Reply Comments Due: April 14, 1998. Dkt No.: MM-98-15. Adopted: January 28, 1998. by NPRM. (DA No. 98-177). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1998/da980177.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1998/da980177.txt)

WESTLEY, CALIFORNIA. Amended FM Table to allot Channel 238A to Westley, California, as that locality's first local aural transmission service. Dkt No.: MM-97-47. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: January 28, 1998. by R&O. (DA No. 98-180). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/da980180.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980180.txt)

SPECULATOR, NEW YORK. Proposed allotment of Channel 243A to Speculator, New York, as the community's first local aural service. Comments Due: March 30, 1998; Reply Comments Due: April 14, 1998. Dkt No.: MM-98-12. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: January 28, 1998. by NPRM. (DA No. 98-178). MMB Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Notices/1998/da980178.txt](https://www.fcc.gov/Bureaus/Mass_Media/Notices/1998/da980178.txt)

WRAY AND OTIS, COLORADO. Amended FM table to substitute Channel 252C1 for Channel 252C2 at Wray, reallocated Channel 252C1 to Otis, modified authorization of KATR-FM accordingly. Dkt No.: MM-97-117. Action by Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau. Adopted: January 28,

1998. by R&O. (DA No. 98-215). MMB Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Orders/1998/da980215.txt](https://www.fcc.gov/Bureaus/Mass_Media/Orders/1998/da980215.txt)

IN THE MATTER OF AMENDMENT OF THE COMMISSION'S RULES REGARDING THE 37.0-38.6 GHZ AND 38.6-40.0 GHZ BANDS/IMPLEMENTATION OF SECTION 309(J) OF THE COMMUNICATIONS ACT -- COMPETITIVE BIDDING, 37.0-38.6 GHZ AND 38.6 40.0 GHZ. Errata corrects portions of the final rules in the R&O and 2nd NPRM which was released November 3, 1997. Action by Acting Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau. by Further Errata. (FCC No. 97-391). (DA No. 98-234). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1998/er97391r.txt>

**ADDENDA: The following items, released February 5, 1998, did not appear in Digest No. 24:**

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### NEWS RELEASES

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REPORT NO. GN-98-1 - FCC STAFF PROPOSES 31 PROCEEDINGS AS PART OF 1998 BIENNIAL REGULATORY REVIEW. Adopted: February 5, 1998. News Media Contact: Rosemary Kimball (202) 418-0500. OGC Contact: David Solomon at (202) 418-1700 and Linda Morrison at (202) 418-1720. Internet URL: [https://www.fcc.gov/Bureaus/Miscellaneous/News\\_Releases/1998/nrmc8010.html](https://www.fcc.gov/Bureaus/Miscellaneous/News_Releases/1998/nrmc8010.html)

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### PUBLIC NOTICES

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Released: February 5, 1998. NATIONAL EXCHANGE CARRIER ASSOCIATION REQUEST FOR AUTHORIZATION TO PROVIDE NEGOTIATION AND ADMINISTRATION SERVICES FOR PAYPHONE PIC CONTRACTS AAD-98-32. Comments Due: March 5, 1998; Reply Comment Date: March 20, 1998. Contact: Accounting and Audits Division, Common Carrier Bureau: (202) 418-0850. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/1998/da980227.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1998/da980227.txt)